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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 ROBERT LUMPKIN,

9 Plaintiff,

10 v.

11 YANES, et al.,

12 Defendants.

Case No. 17-1644 RAJ-BAT

**ORDER DENYING MOTION TO  
APPOINT COUNSEL**

13 Plaintiff filed a *pro se* and *in forma pauperis* civil rights action. He now moves for  
14 appointment of counsel. Dkt. 40. A person generally has no right to counsel in a civil action.  
15 *See Campbell v. Burt*, 141 F.3d 927, 931 (9th Cir. 1998). The Court may appoint counsel for  
16 indigent civil litigants under 28 U.S.C. § 1915(e)(1), but only under “exceptional  
17 circumstances.” *Agyeman v. Corrections Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004).  
18 When determining whether “exceptional circumstances” exist, the Court considers “the  
19 likelihood of success on the merits as well as the ability of the [plaintiff] to articulate his claims  
20 pro se in light of the complexity of the legal issues involved.” *Weygandt v. Look*, 718 F.2d 952,  
21 954 (9th Cir. 1983).

22 Plaintiff requests appointment of counsel on the grounds he cannot hire counsel on his  
23 own, and he has no legal training. These are not extraordinary circumstance warranting the

1 appointment of counsel and the Court accordingly **DENIES** the motion without prejudice. Dkt.  
2 40.

3 The Clerk shall provide a copy of this Order to plaintiff.

4 DATED this 1st day of June, 2018.

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6 BRIAN A. TSUCHIDA  
7 United States Magistrate Judge  
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